

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*Awala*  
-v-  
*Straub, et al*

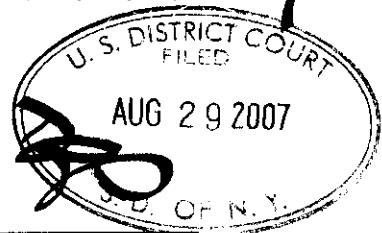
Document # 6

USCA NO.

SDNY NO. 07cv5858

JUDGE: DAB

DATE: 8-29-2007



INDEX TO THE RECORD ON APPEAL

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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Original Record

Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 29th Day of AUGUST, 2007.

**United States District Court for  
the Southern District of New York**

Date: 8-29-2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07w5858

D.C. JUDGE *DAB*

-V-

Straub, et al

## Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

### **Document Description**

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York,  
this 29<sup>th</sup> Day of August In this year of our Lord, Two Thousand and Seven, and the Independence of  
the United States this 232<sup>nd</sup> year.

**J. Michael McMahon, Clerk**

By

Deputy Clerk

APPEAL

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05858-DAB**  
**Internal Use Only**

Awala v. Straub et al  
Assigned to: Judge Deborah A. Batts  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/20/2007  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/20/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Gbeke Michael Awala.(mbe) (Entered: 07/03/2007)
06/20/2007	<u>2</u>	COMPLAINT against Kimba M. Wood, Sue L. Robinson, Kent A. Jordan, M. Rony Francois, Alberto R. Gonzalez, Frederick Motz, D. Morland, Colm F. Connolly, Chester J. Straub, Peter W. Hall, David G. Trager, Anthony J. Scirica, Barksdale, Marcia G. Cooke, Michael B. Mukasey. Document filed by Gbeke Michael Awala.(mbe) (Entered: 07/03/2007)
06/20/2007		Magistrate Judge Michael H. Dolinger is so designated. (mbe) (Entered: 07/03/2007)
06/20/2007	<u>3</u>	ORDER OF DISMISSAL I grant plaintiff's request to proceed in forma pauperis but dismiss the complaint for the following reasons. Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a)(1), is dismissed pursuant to 28 U.S.C. 1915(e)(2). Plaintiff shall have 60 day leave to show cause by affirmation why judgement should not be entered barring him from filing any future action in this Court. 147 f.3d 207, 208 (2d Cir. 1998) (per curiam) ("The unequivocal rule in this circuit is that the district court may not impose a filing injunction on a litigant sua sponte without providing the litigant with notice and an opportunity to be heard.") If plaintiff fails to show cause, judgement shall be entered barring him from filing any future action without first seeking permission from the Court. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 6/20/2007) (mbe) (Entered: 07/03/2007)
07/11/2007	<u>4</u>	MOTION for Reconsideration. Document filed by Gbeke Michael Awala.(djc) (Entered: 07/17/2007)
08/15/2007	<u>5</u>	NOTICE OF APPEAL from [3] Order Dismissing Complaint (I.F.P.). Document filed by Gbeke Michael Awala. Copies sent to attorney(s) of record: A.U.S.A. (tp) (Entered: 08/24/2007)
08/24/2007		Appeal Remark as to [5] Notice of Appeal filed by Gbeke Michael Awala. \$455.00 APPEAL FEE DUE. IFP REVOKED 6/20/07. (tp) (Entered: 08/24/2007)
08/24/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [5] Notice of Appeal. (tp) (Entered: 08/24/2007)
08/24/2007		Transmission of Notice of Appeal to the District Judge re: [5] Notice of Appeal. (tp) (Entered: 08/24/2007)